CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

OCTOBER 21, 2008

INVOCATION:
Pastor Paul Berry, Santa Maria Calvary Chapel, gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Orach led the Pledge of Allegiance.

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino

STAFF MEMBERS PRESENT
City Manager Ness, City Attorney Trujillo, Assistant City Manager Haydon, Director of Public Works/City Engineer Whitehead, Director of Community Development Lindsey, Police Chief Macagni, Fire Chief Ortiz, Director of Utilities Sweet, Director of Administrative Services Snodgrass, Director of Recreation and Parks Posada, Planning Division Manager Woods, Planner III Halvorson, Planner III Scott, Advance Planner Smith, and Records Coordinator/Deputy City Clerk Garietz.

RESOLUTION FOR DAVID FRANCIS
Councilmember Patino read Resolution No. 2008-157 recognizing and commending David Francis, upon his retirement as Superintendent for the Santa Maria Bonita School District, for his many years of dedicated service to the Santa Maria community and for his service on the City's Community Development Block Grant (CDBG) Committee and wishing him the best in his retirement and future endeavors.

Resolution No. 2008-157 was adopted on motion by Councilmember Orach, seconded by Councilmember Zacarías, and carried on the following vote:

AYES:	Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution No. 2008-157 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, RECOGNIZING AND COMMENDING DAVID FRANCIS FOR HIS OUTSTANDING SERVICE TO THE RESIDENTS OF SANTA MARIA AS A MEMBER OF THE BLOCK GRANTS ADVISORY COMMITTEE.

Councilmember Patino presented the resolution to David Francis and thanked him for his dedication and commitment to the City.

VOLUNTEER OF THE MONTH
Councilmember Orach presented a gift to Tom Martinez on behalf of John Hotchkiss and Eduardo Marquez, Santa Maria Sportsman's Association, the Recreation and Parks Department Volunteers of the Month for October, for their involvement in the "Take Me Fishing" event and the "Autumn Arts Grapes and Grains Festival."

PROCLAMATION – THIRD ANNUAL LITERACY AND MULTICULTURAL FESTIVAL
Councilmember Trujillo read a proclamation encouraging the community to attend and support the Third Annual Literacy and Multicultural Festival in the City of Santa Maria on November 2, 2008. The proclamation was accepted by Isa Ponce.

PUBLIC COMMENT
Bob Ziener spoke on the wonderful work that the City Council has done since the last election and their fiscal responsibility in these lean times. He also spoke about Columbus Day, suggested that the bridge across Broadway be a location for a reproduction of the ship Santa Maria, and rename the shopping center the "New World" shopping center.

Ernest Armenta spoke about the upcoming election on November 4th, a meeting he attended earlier in the day where the Mayor hadn't been present, and about retail stores leaving the local area.

Mayor Lavagnino commented that he wasn't in attendance at the Board of Supervisor's meeting because he had been summoned to appear before the Grand Jury in Santa Barbara.

CONSENT CALENDAR
Councilmember Trujillo requested that Item 3E be pulled for comment. Councilmember Orach requested that Item 3H be pulled for comment.

Item 3E – Identity Theft Prevention Program
Councilmember Trujillo stated the importance of having an Identity Theft Prevention Program and that people should be very aware of their credit cards and identification. He spoke of a personal experience where someone had stolen his credit card number and made purchases on the internet.

Item 3H – Seat Belt Compliance Campaign
Councilmember Orach stated that the Seat Belt Grant would help the City's traffic officers enforce seat belt laws, and expressed concern that he sometimes sees small children who are not belted properly and who are moving about in a vehicle.

Consent Calendar Items A through J were approved on motion by Councilmember Orach, seconded by Councilmember Trujillo, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of October 7, 2008, were approved as submitted.

C. WARRANTS
Warrant Nos. 145562 to 145916 in the amount of $1,937,197.80 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 145551 and 145511 were cancelled.

D. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

E. IDENTITY THEFT PREVENTION PROGRAM

Resolution No. 2008-158 was adopted approving and implementing an Identity Theft Prevention Program in compliance with the Federal Trade Commission's Fair and Accurate Transaction Act of 2003.

Resolution No. 2008-158 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING AN IDENTITY THEFT PREVENTION PROGRAM.

F. BUILDING HEIGHT LIMITS AND SETBACKS

Council conducted the second reading and adopted Ordinance No. 2008-23 amending Chapter 8 of Title 12 of the Santa Maria Municipal Code, pertaining to the R-3 (High-Density Residential) zoning district

Ordinance No. 2008-23 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING CHAPTER 8 (R-3 HIGH-DENSITY RESIDENTIAL) OF THE SANTA MARIA MUNICIPAL CODE, PERTAINING TO BUILDING HEIGHT LIMIT AND SETBACKS.

G. LAKEVIEW PROMENADE

Council conducted the second reading and adopted Ordinance No. 2008-24 amending the zoning map to rezone a 3.76 acre portion of a total of a 9.41 acre site located at the northwest corner of Orcutt Expressway (State Route 135) and Skyway Drive FROM PD/C-2 (Planned Development/General Commercial) TO PD/R-3 (Planned Development/High Density Residential) zoning district; 5.65 acres remained with a zoning designation of PD/C-2 (Planned Development/General Commercial).

Ordinance No. 2008-24 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, REZONING PROPERTY FOR THE LAKEVIEW PROMENADE PROJECT, GPZ-2006-009, FOR PROPERTY LOCATED ON THE NORTHWEST CORNER OF ORCUTT EXPRESSWAY (STATE ROUTE 135), AND SKYWAY DRIVE, ASSESSOR'S PARCEL NOS. 111-100-008, -009, 9-4 ACRES.

H. SEAT BELT COMPLIANCE CAMPAIGN

Resolution No. 2008-159 was adopted authorizing the receipt and appropriation of $33,041 to be allocated to the Santa Maria Police Department under the provisions of the Office of Traffic Safety (OTS) Seat Belt Compliance Campaign Program.

Resolution No. 2008-159 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROPRIATING FUNDING UNDER THE OFFICE OF TRAFFIC SAFETY'S CALIFORNIA SEAT BELT COMPLIANCE PROGRAM.

I. SURPLUS AND SALE OF POLICE MOTORCYCLES

Resolution No. 2008-160 was adopted declaring used police motorcycles as surplus property and authorizing the sale of the equipment to other law enforcement agencies in need.

Resolution No. 2008-160 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, DECLARING USED MOTORCYCLES AS SURPLUS PROPERTY AND AUTHORIZING THE SALE TO INTERESTED LAW ENFORCEMENT AGENCIES.

J. NO STOPPING ZONES

Resolution No. 2008-161 was adopted establishing a no stopping zone on North Railroad Avenue along the easterly right-of-way beginning three-hundred twenty (320) feet north of the northerly right-of-way of Alvin Avenue then continuing north for sixty-two (62) feet.

Resolution No. 2008-161 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING A NO STOPPING ZONE ON NORTH RAILROAD AVENUE PURSUANT TO SECTION 7-5.16 OF THE SANTA MARIA MUNICIPAL CODE.

AT THIS TIME THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA MARIA CONVENED FOR A JOINT SESSION WITH THE CITY COUNCIL AT 6:57 P.M.

ROLL CALL: Councilmembers/Boardmembers Orach, Patino, Trujillo, Zacarías, and Mayor/Chairperson Lavagnino were all present.

DOWNTOWN SPECIFIC PLAN

Planner III Halvorson gave the staff report. The request was for the certification of the Final Environmental Impact Report (FEIR); an amendment to the General Plan–Land Use Element and Circulation Element; to introduce an ordinance adopting the Downtown Specific Plan specifying that all new development in the Downtown Specific Plan area be reviewed and considered for approval as provided for by the Downtown Specific Plan; to amend Municipal Code Section 12-3.05(c) to apply development standards of the Westside Revitalization Project Design Guidelines within the Downtown Specific Plan, and amend the Entrada Specific Plan to remove the Downtown Specific Plan area from the Entrada Specific Plan; to introduce an ordinance amending the Zoning Map rezoning 265 acres of the Downtown Specific Plan area to the SP (Specific Plan) zoning district; and to provide direction to staff regarding implementation of the Downtown Specific Plan. The Downtown Specific Plan encompasses approximately 50 square blocks (or 265 acres) that radiate from the intersection of Broadway and Main Street. The plan is organized into five districts: Bungalow District (Office/Transition), Gateway District (Retail/Commercial), Town Center District (Entertainment/Retail), Garden District (Civic/Cultural/Museum/ Recreation), and Railroad Lost District (Live/Work). The Specific Plan is consistent with the General Plan and will be used to guide and intensify development in the Downtown area. In 1972, the Redevelopment Agency (RDA) adopted Redevelopment Plan No. A-1-2 which established regulations effective for 30 years, and extended the Redevelopment Plan for an additional ten (10) years in 1994 to satisfy legal requirements pertaining to the bond financing of the downtown parking structures. Redevelopment Plan No. A-1-2 will expire on September 7, 2012. A joint meeting of the City Council and Redevelopment Agency was necessary in order to address the inconsistencies between the Downtown Specific Plan and Redevelopment Plan No. A-1-2, and declare that the Downtown Specific Plan shall control in the event of any conflict between Redevelopment Plan No. A-1-2 and the Downtown Specific Plan. With the recommendation of the Planning Commission to have design review authority for Planned Development Permits be approved by the Planning Commission, several options for providing direction in implementation were presented: 1) Option 1 - All new development in the Downtown Specific Plan area would be reviewed and considered for approval as provided by the Downtown Specific Plan and public noticing would be given; 2) Option 2 - A Planned Development (PD) overlay district would apply to the entire Downtown Specific Plan area boundaries; 3) Option 3 – All new development in the Downtown Specific Plan area that is 5,000 square feet of floor area or less would be reviewed and acted upon as provided by the Downtown Specific Plan. All new development in the Downtown Specific Plan area that is greater than 5,000 square feet of floor area would require review and action by the Planning Commission. In the three options, the Planning Commission and City Council would be notified of development proposed in the Downtown Specific Plan area and Municipal Code Chapter 12-41 would apply for appeals to the Planning Commission. In Option 1, all new development would be reviewed at a staff level. Some uses would require a Conditional Use Permit (CUP) to be reviewed and acted upon by the Planning Commission. In Option 2, all new development would require a Planned Development (PD) permit to be reviewed and acted upon by the Planning Commission. In Option 3, new development that includes 5,000 square feet of floor area or less would be reviewed at a staff level. However, those uses described in the Downtown Specific Plan that require a CUP would be required to obtain a CUP regardless of size. New development that was larger than 5,000 square feet in floor area would be reviewed and acted upon by the Planning Commission.

On September 17, 2008, the Planning Commission held a public hearing. The Planning Commission expressed that each new project in the Downtown area should have Planning Commission design review, and that it should include the requirement for a Planned

Development (PD) Permit or a Project Review Permit. City staff mentioned to the Planning Commission that some projects would need a Conditional Use Permit (CUP) but most permitted land use projects would be reviewed and approved at a staff level. Staff review would save time for an applicant who would normally wait approximately 6-9 months or longer for a discretionary review permit. In addition, the Environmental Impact Report (EIR) would streamline development review if new projects would not create any new significant environmental impacts beyond that which were already reviewed.

At the recommendation of the Recreation and Parks Department, Rosalind Perlman Park was removed from the Downtown Specific Plan boundaries in order to preserve it as a long-term park and open space area, with no other options available.

On September 17, 2008, the Planning Commission unanimously recommended approval of the Downtown Specific Plan with recommended revisions including 1) all new development in the Downtown Specific Plan area would be reviewed by the Planning Commission (either through a Planned Development Permit or Project Review Permit); and 2) to remove Rosalind Perlman Park (northeast corner of Main & Broadway) from the Downtown Specific Plan boundaries. The Planning Commission adopted Resolution No. 2526 recommending that the City Council certify the Final Environmental Impact Report, make CEQA findings, adopt a statement of overriding considerations and adopt a mitigation monitoring program; Resolution No. 2527 recommending the City Council amend the General Plan Land Use Element; Resolution No. 2528 recommending the City Council amend the General Plan Circulation Element; Resolution No. 2529 recommending the City Council amend the Entrada Specific Plan to remove those areas within the Downtown Specific Plan boundaries, to adopt the Downtown Specific Plan, excluding Rosalind Perlman Park from the boundaries of the Downtown Specific Plan, and to amend the Downtown Specific Plan to require that all development plans be reviewed by the Planning Commission; and Resolution No. 2530 recommending the City Council amend the zoning text of the Municipal Code Section 12-3.05(b) to apply development standards of the Westside Revitalization Project, rezone 268 acres of the Downtown Specific Plan to re-designate to the SP (Specific Plan) zoning district, and exclude Rosalind Perlman Park from the boundaries of the Downtown Specific Plan.

Councilmember Trujillo asked for clarification on whether out of the 432 parcels, there were 91 parcels that were under 5,000 feet, and wanted to know their location.

Planner III Halvorson identified the locations on an overhead map, noting that the 91 parcels were scattered around the Downtown Specific Plan area and marked in blue on the map.

Mayor/Chairperson Lavagnino opened the public hearing.

Laurie Tamura, Urban Planning Concepts, commented that she and her company had actively participated in the process for the Downtown Specific Plan since it was initiated four years ago. She expressed her support for the adoption of the plan, and indicated that Option 2 or 3 would allow for the most public participation throughout the process. She thanked staff for their hard work and great effort.

Joan Leon, Santa Maria Community Coalition, spoke in favor of adoption of the Downtown Specific Plan. The Plan had been the subject of many public meetings and provided a comprehensive plan with specific guidelines for development. The Santa Maria Community Coalition expressed support for Option 1 where staff could approve projects. The Coalition supports public participation in the governmental process; but believes the plan had received enough comment and that no further hearings were necessary. She said that the shortest processing time possible would be an incentive to begin the renovation of the downtown. She spoke of the appeal process if an applicant or member of the public didn't agree with staff action.

Ernest Armenta spoke in opposition of the adoption of the Downtown Specific Plan. He asked whether the Plan provided for the retrofitting of old buildings in the area. He spoke of posting signs on buildings that were not currently retrofitted to indicate that a

person would be entering the building at their own risk. He also asked that if a new business were to come into the area would they be required to retrofit the building, and when would the City begin requiring the current owners of old buildings to retrofit them under the new Downtown Specific Plan.

Director of Community Development Lindsey responded that retrofitting had been incorporated into the City's Building Code. He further explained that retrofitting pertains to each and every building following inspection, and there were inspection records available for review.

Ernest Armenta further commented that considering the history of what had previously been done in the downtown area, he couldn't support adoption of the Downtown Specific Plan.

Marty Mariscal congratulated Brian Halvorson on the work he had done on the Downtown Specific Plan and the presentation made earlier in the meeting. He said that there had been many community meetings and a lot of public input, and the Plan presented to Council is what the public wanted. He spoke about the passage of SB375, and the transportation funding available. It was a sustainable communities bill signed into law that rewards communities who develop things like a Downtown Specific Plan where the communities build density, housing and other amenities along transit corridors and utilize mass transit corridors, such as moving the transit center from its current Cook Street location to the corner on Miller Street. He further commented as a property owner in the Downtown Specific Plan area, he supports Option 1 as it would give the most flexibility and would show confidence in the staff that not only developed the Plan, but who would be the ones to carry it out.

Jeannett Gibson supports the adoption of the Downtown Specific Plan. She expressed concerns with Option 1 and mentioned that density, landscaping and building colors are not specifically prescribed in the Downtown Specific Plan leaving those decisions up to the opinion or judgment of one person on staff. As a project applicant, working for Urban Planning Concepts, that could put them in a bit of an adversarial role if they didn't agree with staff and had to appeal to the Planning Commission. Option 3 is similar to other local cities, and she felt that public input was important.

Hearing no further requests to speak on this item, Mayor/Chairperson Lavagnino closed the public hearing.

Councilmember/Board Member Zacarías asked, in addressing a written communication from Daniel Blough that was distributed at the meeting, if it would be useful to have timeframes that could be followed for processing under Option 3.

Director of Community Development Lindsey indicated that there was already a process spelled out by the Municipal Code for appeals to the Planning Commission. He indicated that the same rules would apply for an appeal from Planning Commission to City Council.

Councilmember Zacarías clarified her question in that it wasn't about the appeal process, but whether or not there were established time periods from start to finish through the application process that the planning community can count on.

City Attorney Trujillo responded that the concept she was inquiring about was similar to the Permit Streamlining Act which didn't apply to this situation. By law, streamlining was required for subdivisions; it was not required for these type of approvals. He further indicated that there were good policy reasons why timelines weren't put into place with these types of approvals. He commented that due to staffing levels and work load, what would happen if the timelines weren't met. However, the Council could make a policy decision to impose such timelines. In speaking from a staff's perspective, he wouldn't recommend imposing timelines that were not required by law.

Councilmember Zacarías read Mr. Blough's letter. She confirmed that a process was already in place for appeals and that noticing was provided to property owners within

300 feet. Mr. Blough requested that he'd like the Council to consider allowing other owners who wish to be notified pay for receiving notification and also that the City allow for registering of email addresses for additional notification opportunities.

Director of Community Development Lindsey indicated that from his experience that posting of a notice on the site or the adjacent property actually does more to stimulate any comment and provides more effective notification then any other process, and that's what staff would advocate. It would not include property owners within 300 feet. Legal notices for owners within 300 feet were sent out for such things as rezoning projects. Posting the property, mailing legal notices and publishing in the newspaper were three options used by the City. He indicated that, through experience, notifying those people who were in the impacted area by posting the property would do more to accelerate the process.

Councilmember/Board Member Orach commented that he attended the majority of the meetings over the years. He also indicated that the All-America City Committee had also conducted subsequent meetings talking about the downtown and the Downtown Specific Plan. He commended Brian Halvorson on his work on the project. He also said that doing the EIR had set the City back about 18 months, but it provided the opportunity to take a look at all the factors and mitigate them. He was looking to fast forward to getting it off the ground.

Councilmember/Board Member Trujillo commented that he was in favor of approving of the Downtown Specific Plan, but that he took great notice that the Planning Commission had recommended Option 2. He commented that the Council appointed the Planning Commissioners and that they had heard many of the arguments. He noticed that Option 3 was a bit of both Option 1 and Option 2, which seemed to be a better option.

Mayor/Chairperson Lavagnino indicated that he would like to address the three options after addressing the other items first.

Councilmember/Board Member Patino indicated that she was excited to get going with the Downtown Specific Plan and fast forward the process. She said they needed to be really careful because she didn't like what was done in downtown Santa Maria in the 1970's. She commented that she supported Option 3. She stated that she was ready for a nice downtown and really liked the traffic-calming in the Plan for the downtown.

Mayor/Chairperson Lavagnino commented that that Downtown Specific Plan was a good plan, and that he wished it had been in place in 1975 when they tore down nine square blocks of the downtown of Santa Maria. He said that it wasn't in place at that time, and now this Council was left to pick up the marbles. He congratulated staff and commented that they had done a great job.

Joint City Council/Redevelopment Agency Resolution Nos. 2008-162 and 2008-01 were adopted certifying the Final Environmental Impact Report (SCH#2007041105), E-2004-001, making CEQA findings, adopting a statement of overriding considerations, and adopting a mitigation monitoring program for the Downtown Specific Plan (GPZ-2008-004, SPZ-2004-001) on motion by Council/Boardmember Orach, seconded by Council/Boardmember Zacarias, and carried on the following vote:

AYES:	Council/Boardmembers Orach, Patino, Trujillo, Zacarias and Mayor/Chairperson Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution Nos. 2008-162 and 2008-01 adopted. A RESOLUTION OF THE CITY COUNCIL AND REDEVELOPMENT AGENCY OF THE CITY OF SANTA MARIA, CALIFORNIA, CERTIFYING THE SANTA MARIA DOWNTOWN SPECIFIC PLAN FINAL ENVIRONMENTAL IMPACT REPORT (E-2004-01, SCH#2007041105), MAKING CEQA FINDINGS, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS AND ADOPTING A MITIGATION MONITORING PROGRAM FOR

THE SANTA MARIA DOWNTOWN SPECIFIC PLAN, AND FINDING THAT NO FURTHER ENVIRONMENTAL REVIEW IS NECESSARY FOR THE DOWNTOWN SPECIFIC PLAN, FILE NOS. GPZ-2008-004, SPZ-2004-001.

Joint City Council/Redevelopment Agency Resolution Nos. 2008-163 and 2008-02 amending the General Plan Land Use Plan Policy Map by re-designating certain areas from various land use designations to Central District I (CD-I) or Central District II (CD-II) land use designations; by amending the Land Use Element text to add the SP (Specific Plan) zoning district as corresponding zoning within Central District I (CD-I) and Central District II (CD-II) land use designations; amending the Circulation Element text (page C-17) to revise the location of the transit center from the Town Center Mall to the southeast corner of Miller Street and Boone Street; amending the Circulation Element text to revise Policy C.1a (Acceptable Levels of Service) to allow reduced Levels of Service (LOS) for roadways in the Downtown Specific Plan area; and amending the Circulation Element text to revise Policy C.4a (Location of Noise-Sensitive Land Uses) to allow exceptions for the Downtown Specific Plan area for approximately 265 acres of property, generally located north of Morrison Avenue, south of Fesler Street, east of Pine Street, and west of School Street (GPZ-2008-004) on motion by Council/Boardmember Orach, seconded by Council/Boardmember Patino, and carried on the following vote:

AYES: Council/Boardmembers Orach, Patino, Trujillo, Zacarías and Mayor/Chairperson Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution Nos. 2008-163 and 2008-02 adopted. A RESOLUTION OF THE CITY COUNCIL AND REDEVELOPMENT AGENCY OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT (LAND USE AND CIRCULATION ELEMENT) FOR APPROXIMATELY 265 ACRES OF PROPERTY LOCATED WEST OF SCHOOL STREET, EAST OF PINE STREET, SOUTH OF FESLER STREET AND NORTH OF MORRISON AVENUE, VARIOUS ASSESSOR PARCEL NUMBERS, FILE NO. GPZ-2008-004.

Joint Ordinance of the City Council and Redevelopment Agency Nos. 2008-25 and RDA Ord-2008-01 adopting the Downtown Specific Plan which specifies that all new development in the Downtown Specific Plan area would be reviewed and considered for approval as provided by the Downtown Specific Plan (SPZ-2004-001); public noticing would also be given; amending the Santa Maria Municipal Code Section 12-3.05(c) to apply development standards of the Westside Revitalization Project Design Guidelines within the Downtown Specific Plan area for the geographical areas defined in the Westside Revitalization Project Design Guidelines project area map; and amending the Entrada Specific Plan to remove the Downtown Specific Plan area from the Entrada Specific Plan (SP-1) was introduced by title only for first reading and continued to the next meeting for second reading and adoption on motion by Council/Boardmember Zacarías, seconded by Council/Boardmember Orach, and carried on the following vote:

AYES: Council/Boardmembers Orach, Patino, Trujillo, Zacarías and Mayor/Chairperson Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Joint City Council and Redevelopment Agency Ordinance Nos. 2008-25 and RDA ORD-2008-01 introduced. AN ORDINANCE OF THE CITY COUNCIL AND REDEVELOPMENT AGENCY OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING THE WESTSIDE REVITIALIZATION GUIDELINES, AMENDING THE AREA OF THE ENTRADA SPECIFIC PLAN AND ADOPTING THE DOWNTOWN SPECIFIC PLAN, FOR PROPERTY LOCATED WEST OF SCHOOL STREET, EAST OF PINE STREET, SOUTH OF FESLER STREET AND NORTH OF MORRISON

AVENUE, VARIOUS ASSESSOR PARCEL NUMBERS, APPROXIMATELY 265 ACRES, FILE NO. SP-1, SPZ-2004-001.

Joint Ordinance of the City Council and Redevelopment Agency Nos. 2008-26 and RDA Ord-2008-02 rezoning approximately 265 acres of property of the Downtown Specific Plan area to the SP (Specific Plan) zoning district was introduced by title only for first reading and continued to the next meeting for second reading and adoption on motion by Council/Boardmember Patino, seconded by Council/Boardmember Orach, and carried on the following vote:

AYES: Council/Boardmembers Orach, Patino, Trujillo, Zacarías and Mayor/Chairperson Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Joint City Council and Redevelopment Agency Ordinance Nos. 2008-26 and RDA ORD-2008-02 introduced. AN ORDINANCE OF THE CITY COUNCIL AND REDEVELOPMENT OF THE CITY OF SANTA MARIA, CALIFORNIA, REZONING APPROXIMATELY 265 ACRES OF PROPERTY LOCATED WEST OF SCHOOL STREET, EAST OF PINE STREET, SOUTH OF FESLER STREET AND NORTH OF MORRISON AVENUE, VARIOUS ASSESSOR PARCEL NUMBERS, FILE NO. GPZ-2008-004.

Mayor/Chairperson Lavagnino read each of the options. He clarified that Option 1 would allow staff to make decisions on the projects, Option 2 would take four to six months and would cost the applicant approximately $6,000 to $10,000, and Option 3 would be a combination of Option 1 and Option 2 which would give the Planning Commission and the Council a look at the projects as well as allowing the public the opportunity to have input on the projects.

Planner III Halvorson confirmed Mayor/Chairperson Lavagnino's comments.

Mayor/Chairperson Lavagnino motioned that the City Council adopt Option 3, for discussion purposes only, and seconded by Council/Boardmember Patino.

Council/Boardmember Trujillo asked if Option 2 was more costly because there are more costs involved up front and requested City Manager Ness' opinion of Option 3.

Planner III Halvorson confirmed that Option 2 is the more costly option due to the application fees for a Planned Development Permit and the time it would take to go through the process to get an approved project before they could submit their construction drawings.

City Manager Ness stated that Option 1 was proposed by staff to the Planning Commission. The Planning Commission approved making a recommendation to the City Council for Option 2. Subsequently, staff had worked with some of the project representatives and developers within the community to come up with the hybrid, compromised combination approach in Option 3. Of the 434 lots within the Downtown Specific Plan area, only about 91, or less than 20 percent, would be reviewed by staff. All the others would be reviewed by the Planning Commission. Option 1 is clearly the more streamlined option. Option 2 would be more costly and more time consuming. He thought Option 3 was a decent combination of the two and indicated that it could be tested. If it needed to be changed later, amendments could be made in the future, if necessary.

Mayor/Chairperson Lavagnino indicated that he didn't want it to appear that he didn't have confidence in staff, because he did. He commented that with something as important as the downtown, that it may take a little longer to go through the Planning Commission process and on to the City Council. After seeing what happened in 1975, he never wanted to see that again.

Council/Boardmember Orach commented that discussion returns back to that time in 1975, but there were different aspects and different redevelopment laws in place. Redevelopment law has been superseded with this plan. Instituting the Plan would be what the community has wanted and what staff has wanted to put the Downtown Specific Plan together, and the guideline would be very different than what was in place presently. He expressed concern that only 91 parcels would be okay for staff review, but everything else would have to come back for expense and delay. He questioned if the Council were to implement Option 1 and determine that it wasn't satisfactory at a later time, could the Council institute an Option 2 or an Option 3 at that time.

Staff responded that another Option could be instituted later.

City Attorney Trujillo asked if it was the Council's intent that the Planning Commission be the final action and appealable to the City Council, or that the Planning Commission would make a recommendation to the City Council so that final action would rest with the City Council.

Mayor/Chairperson Lavagnino indicated that he'd prefer the City Council to have the final decision, with the other Council/Boardmembers concurring.

With regard to implementation of the Downtown Specific Plan and development review within the Downtown Specific Plan boundaries, the City Council and Redevelopment Agency chose Option 3, that all new development in the Downtown Specific Plan area that is 5,000 square feet of floor area or less would be reviewed and acted upon as provided by the Downtown Specific Plan and that all new development in the Downtown Specific Plan area that is greater than 5,000 square feet of floor area would require the review and recommendation by the Planning Commission to the City Council for final action, on motion by Mayor/Chairperson Lavagnino, seconded by Council/ Boardmember Patino, and carried on the following vote:

AYES:	Council/Boardmembers Orach, Patino, Trujillo, Zacarías and Mayor/Chairperson Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Having no further business to come before the Redevelopment Agency, Chairperson Lavagnino adjourned the Redevelopment Agency Meeting at 7:45 p.m. and the remainder of the City Council meeting continued.

INTERIM TECHNICAL AMENDMENTS TO THE SANTA MARIA MUNICIPAL CODE
Senior Assistant City Attorney/Utilities Counsel Stockton gave the staff report. As part of an ongoing project beginning in 2000, the City Attorney's office had collected a list of Municipal Code provisions that work ineffectively for technical reasons. The list also includes laws that need to be updated, modified or deleted because of changes in City operations. The proposed ordinance would do the following: (1) amend Section 1-7.02 to add Provisional Officer, Senior Park Services Officer, Park Services Officer II, Fire Prevention Officer I/II/III, and Senior Code Compliance Officer as public officers authorized to arrest and issue notices to appear, and remove Fire Prevention Inspector I/II; 2) modify and modernize Sections 5-3.101, 5-3.204 and 5-3.303, pertaining to regulation of dangerous dogs. The proposed provisions add definitions, amend procedures for impoundment, and amend the time period in which an annual dog license is required; and 3) amend Section 9-1.202, clarifying what is an unlawful violation of the City's Municipal Code relating to building regulations.

Councilmember Zacarías asked if the dog licensing fee was separate from the County license fee and requested clarification that there was only one fee.

Senior Assistant City Attorney/Utilities Counsel Stockton confirmed that the County administers all of the City's animal control matters under contract. While working on clean ups to other dog provisions, she noticed that the City's Code did not match that of current practice.

Ordinance No. 2008-27 making technical amendments to the Municipal Code was introduced by title only for first reading and continued to the next meeting for second reading and adoption on motion by Councilmember Patino, seconded by Councilmember Trujillo, and carried on the following vote:

AYES: Councilmembers Orach, Patino, Trujillo, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 2008-27 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING VARIOUS SECTIONS OF THE SANTA MARIA MUNICIPAL CODE RELATING TO CITATION AUTHORITY, DOG CONTROL AND BUILDING REGULATIONS.

CITY MANAGER'S REPORT

City Manager Ness reported on several items for the November 4, 2008, City Council meeting, including the presentation of three proclamations, three applications for Entertainment Licenses, and two regular business items regarding the First Quarterly Budget and Financial Report and a contract with the County Water Agency to accept a $4.8 million grant for the Wastewater Treatment Plant under Proposition 50, and a couple of Closed Session items. He stated that he'd like to hold the Closed Session at 5:30 p.m. before the meeting.

ORAL REPORTS BY COUNCILMEMBERS

Councilmember Orach stated he attended the CASA fundraiser at Firestone Meadows on Sunday and saw the Newlove House in the meadow and the Career Day event at El Camino Junior High School, and would be attending the Annual Duty to Others Boy Scouts of America Event to be held at the Elks Club on October 22 at 5:30 p.m.

Councilmember Zacarías reported that, with the exception of Career Day, she had not been attending many events due to doctor's orders. Her son, Gabriel, was in town helping to care for her while recovering from her injury. He attended the Career Day with her and was recruited to talk to the students as well as to encourage them to get an education and attend college. She indicated that she was pleased to see the City's Firefighters and Police Officers in attendance as well.

Mayor Lavagnino stated that on October 11th he spoke at the Valley Speaks at Santa Maria Inn and reminisced with his former classmates, attended Peace Week's Community Breakfast at the Veterans' Community Center and gave the Welcome speech at the Santa Maria Valley Restorative Justice Task Force Countywide Symposium, attended the I.N.C. Luncheon and Santa Barbara County 3rd District Debate Forum, attended the SBCAG Air Pollution Control District meeting on October 16th, helped with the United Way Campaign at the City on October 17th, and was summoned to speak before the Grand Jury today regarding the gang problems in the City of Santa Maria and Countywide. He also indicated that he would be turning the gavel over to Councilmember Zacarías to adjourn the meeting in memory of her good friend, Joseph Sapien.

Councilmember Patino reported that she attended the Peace Week Community Breakfast on October 13th, the Ecumenical Service at the Church of Jesus Christ of Latter-day Saints on October 14th, the El Conference at Marian Theater at Hancock College and the Fighting Back Santa Maria Valley "Get Free for the Weekend Event" for junior high school students on October 18th. She indicated that they had 2,500 kids sign up from all the Junior High Schools and the event was a great success. She read a list of the donor businesses and volunteers who contributed to the event.

Councilmember Trujillo stated that since this would be the last meeting before the election, he wanted to take his time to speak to the people of Santa Maria to thank them for allowing him to be their Councilmember. He indicated that he never forgot that he served at the pleasure of the public, and that they could feel confident he would spend

their money wisely. He also commented that he would never allow the City to get into the financial problems that San Luis Obispo and Vallejo have had because of union salaries, arbitration, or excessive spending.

Councilmember Orach commented that he had hosted attendees of the Rotary District Conference at his home, which hosted the Korean Delegation and the Taiwanese Exchange. They were taken to the Peace Week Breakfast and to the City's new Library. They had been to other libraries, but were amazed by the City's new Library.

ADJOURNMENT

There being no further business to come before the City Council at this time, Mayor Lavagnino passed the gavel to Councilmember Zacarías to adjourn the meeting. Councilmember Zacarías declared the City Council meeting adjourned in memory of Joseph Sapien, and in honor of his work and dedication to the community and the City of Santa Maria at 8:03 p.m.

APPROVED

November 4, 2008
Date

Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

ATTEST

Chief Deputy City Clerk

Mayor of the City of Santa Maria